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9
10 **UNITED STATES DISTRICT COURT**
11 **DISTRICT OF NEVADA**

12 BALUMA S.A. d/b/a ENJOY PUNTA
13 DEL ESTE & CASINO,

14 Plaintiff,

15 v.

16 ERIC PENNER,

17 Defendant.

Case No.: 2:20-CV-01551-APG-BNW

**STIPULATION AND [Proposed] ORDER
TO ENLARGE BRIEFING SCHEDULE
AS TO PLAINTIFF'S MOTION FOR
SUMMARY JUDGMENT
[Docket #21] (First Request)**

AND

**TO ENLARGE TIME TO SUBMIT
ANSWER TO PLAINTIFF'S COMPLAINT
(First Request)**

18
19 Pursuant to LR IA 6-1, LR IA 6-2, and LR 7-1, Defendant, Eric Penner ("Defendant") and
20 Plaintiff Baluma S.A. ("Plaintiff"), by and through their undersigned counsel of record, hereby
21 stipulate as follows:

22 **I. STIPULATION TO ENLARGE BRIEFING SCHEDULE AS TO PLAINTIFF'S**
23 **MOTION FOR SUMMARY JUDGMENT [Docket #21]**

24 The parties request that the Court enter an order approving this stipulation extending the
25 briefing schedule on Plaintiff's pending Motion for Summary Judgment (Doc. 21), filed on March
26 21, 2021, by ten (10) days as to both Defendant's response to and Plaintiff's reply in support of the
27 Motion for Summary Judgment. This is the parties' first stipulation and request for an extension of
28 time relating to the briefing schedule on the Motion for Summary Judgment.

1 Defendant's counsel has requested an additional ten (10) days to prepare Defendant's
2 response to the Motion for Summary Judgment to allow the parties to continue settlement
3 discussions. Such a request would make Defendant's response to the Motion for Summary
4 Judgment due on or before **April 19, 2021**. Plaintiff is agreeable to the requested extension of time.

5 The extended response deadline impacts Plaintiff's ability to analyze the response and
6 prepare its reply in support of its Motion for Summary Judgment in the time contemplated by LR
7 7-2(b) due to existing briefing deadlines and conflicts in other matters. Plaintiff has thus requested
8 an additional ten (10) days to prepare its reply, making such a reply due on or before **May 13, 2021**.
9 Defendant is agreeable to the requested extension of time.

10 **II. STIPULATION TO ENLARGE TO ENLARGE TIME TO SUBMIT ANSWER TO**
11 **PLAINTIFF'S COMPLAINT (First Request)**

12 The parties further stipulate and request that the Court enter an order to enlarge the time in
13 which Defendant, Eric Penner, may file an answer to Plaintiff's Complaint (Filed in the Eighth
14 Judicial District Court of Nevada on June 26, 2020) by ten (10) days. Defendant's responsive
15 pleading to Plaintiff's Complaint was his Motion to Dismiss (Doc. 5), filed on August 26, 2020.
16 The Order denying this motion (Doc. 23) was entered on March 23, 2020.

17 Defendant's requested 10 day extension would cause the deadline to file his Answer to fall
18 on Friday, **April 16, 2021**. This request is sought to facilitate ongoing settlement discussions and
19 is agreed upon by counsel for both parties.

20 //

21 //

By this stipulation, the parties do hereby respectfully request that the Court enter an order extending the above referenced deadlines.

DATED this 6th day of April 2021.

DATED this 6th day of April 2021.

GREENBERG TRAURIG, LLP

MESSNER REEVES LLP

/s/ Christopher R. Miltenberger

/s/ Michael M. Edwards

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Baluma S.A. d/b/a Enjoy Punta del Este Resort & Casino

RE: Baluma v Penner

 miltenberge
To: Nick Hamilton
Cc: Desja Wilder; +2 others
10:32 AM

IT IS SO ORDERED.

Nick,

This is fine. You can use my e-signature on the document and submit.

Thanks,

Chris Miltenberger
Greenberg Traurig, LLP


UNITED STATES DISTRICT JUDGE

DATED: April 7, 2021